

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LEE HARTWELL, )  
 )  
 Plaintiff, ) CIVIL ACTION NO.  
 v. ) 2:06cv518-MHT  
 ) (WO)  
 THE CITY OF MONTGOMERY, )  
 ALABAMA, PERSONNEL )  
 BOARD OF THE CITY AND )  
 COUNTY OF MONTGOMERY, )  
 ALABAMA, and DISTRICT )  
 CHIEF KELLY D. GORDON, )  
 in his individual )  
 capacity, )  
 )  
 Defendants. )

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Defendant Kelly D. Gordon's motion for summary judgment (doc. no. 14) is granted as to plaintiff Lee Hartwell's federal claim.

(2) Judgment is entered in favor of defendant Kelly D. Gordon and against plaintiff Hartwell on plaintiff

Hartwell's federal claim, with plaintiff Hartwell taking nothing as to said claim.

(3) Pursuant to 28 U.S.C. § 1367(c), plaintiff Hartwell's state-law claim is remanded to the Circuit Court of Montgomery County.

It is further ORDERED that costs are taxed against plaintiff Hartwell, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

The clerk of the court further DIRECTED to take appropriate steps to effect the remand.

DONE, this the 10th day of May, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE